

Application No. 10/810,719
Amendment dated June 19, 2006
Reply to Office Action of March 20, 2006

Docket No.: YOR920000395US2
(20140-00255-US2)

REMARKS

Claims 20-22 and 25-42 are now in the application.

The rejection of claims 20-42 under the judicially created doctrine of obviousness type double patenting as being unpatentable over the claims of US Patent 6,946,716 has been overcome by the filing of the attached Terminal Disclaimer. The filing of the Terminal Disclaimer is not to be construed as an admission, estoppel or acquiescence. See *Quad Environmental Technology v. Union Sanitary District*, 20 USPQ2d 1392 (Fed. Cir. 1991) and *Ortho Pharmaceuticals Corp. v. Smith*, 22 USPQ2d 1119 (Fed. Cir. 1992).

The rejections of claim 20 under 35 USC 103(a) as being unpatentable over US Patent 6,331,237 to Andricacos et al. and of claims 21-42 under 35 USC 103(a) as being unpatentable over US Patent 6,331,237 to Andricacos et al., in view of US Patent 6,331,237 to Landau have been overcome by the filing of the attached Statement of Common Ownership. The filing of the Statement of Common Ownership is not to be construed as an admission, estoppel or acquiescence. See *Quad Environmental Technology v. Union Sanitary District*, supra and *Ortho Pharmaceuticals Corp. v. Smith*, supra.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0510, under Order No. 20140-00255-US2 from which the undersigned is authorized to draw.

Dated: June 19, 2006

Respectfully submitted,

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